

REMARKS

Status of Claims:

While the Examiner has indicated in the outstanding Office Action that claims 1-17 are pending, applicant points out that the previously filed preliminary amendment (filed 04/25/2001) added claim 18.

Claims 1-4, 6-7, 9, and 11-18 are cancelled. New claims 19-36 are added. Thus, claims 5, 8, 10, and 19-36 are present for examination.

Allowable Subject Matter:

Applicant expresses appreciation to the Examiner for the indication that claims 5-10 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 5 has been amended to be independent and to include most of the limitations of previously pending independent claim 4. The limitation of “a moving unit to move said original document and said reading unit...” in previously pending independent claim 4 has been changed to “a moving unit to move one of said original document and said reading unit...” in amended claim 5. Also, the limitation that “ $N \geq 1 + M$ ” in claim 5 has been amended to be “ $N > 1 + M$ ”.

Therefore, independent claim 5, as amended, is believed to be allowable.

Claim 8 has been amended to be independent and to include most of the limitations of previously pending independent claim 4. The limitation of “a moving unit to move said original document and said reading unit...” in previously pending independent claim 4 has been changed to “a moving unit to move one of said original document and said reading unit...” in amended claim 8. Also, the limitation “ $1 < L \leq M$ ” in claim 8 has been amended to be “ $1 < L < M$ ” and the limitation that “a greatest common measure of values of said L and said M equals one” in claim 8 has been amended to be “a greatest common measure of values of said L and said N equals one”.

Therefore, independent claim 8, as amended, is believed to be allowable.

Claim 10 depends from claim 8 and, thus, is believed to be allowable for at least the same reasons that claim 8 is believed to be allowable.

New Claims:

New independent claim 25 recites an image reading method with features that are similar to features of the image reading apparatus of independent claim 5. Therefore, claim 25 is believed to be allowable for at least the same reasons that claim 5 is believed to be allowable.

New independent claim 27 recites an image reading method with features that are similar to features of the image reading apparatus of independent claim 8. Therefore, claim 27 is believed to be allowable for at least the same reasons that claim 8 is believed to be allowable.

New independent claim 29 recites an image reading apparatus with features that are similar to features of the image reading apparatus of independent claim 5. Therefore, claim 29 is believed to be allowable for at least the same reasons that claim 5 is believed to be allowable.

New independent claim 33 recites an image reading apparatus with features that are similar to features of the image reading apparatus of independent claim 8. Therefore, claim 33 is believed to be allowable for at least the same reasons that claim 8 is believed to be allowable.

The dependent claims are deemed to be allowable for at least the same reasons indicated above with regard to the independent claims from which they depend.

Claim Objection:

The Examiner stated that claim 17 is dependent on a non-existing claim 21 and therefore, is not evaluated.

Claim 17 has been cancelled and, thus, the objection is moot.

Claim Rejections:

Claims 1-3 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawamoto et al. (U.S. Patent Number 5,920,063) (hereinafter Kawamoto).

Claims 4 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamoto.

Claims 1-4 and 11-16 have been cancelled and, thus, the rejections are moot.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 03/15/2005

By Justin M. Sobaje

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (310) 975-7965
Facsimile: (310) 557-8475

Justin M. Sobaje
Attorney for Applicant
Registration No. 56,252